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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/012,203	10/19/2001	Hiroshi Yamamoto	SCEY 19.084	5293
26304	7590	09/21/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			PATEL, KANJIBHAI B	
			ART UNIT	PAPER NUMBER
			2625	
DATE MAILED: 09/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/012,203

Applicant(s)

YAMAMOTO, HIROSHI

Examiner

Kanji Patel

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-12, 14-21, 23-30 and 32-38 is/are rejected.
- 7) ☒ Claim(s) 4, 13, 22, 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. Drawings filed on 10/19/01 have been approved by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-12, 14-21, 23-30 and 32-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuo et al. (US 6,219,062 B1).

For claims 1, 10, 19, 28 and 37-38, Matsuo et al. disclose a drawing method (figures 1-7), comprising the steps of:

setting a value for expressing distance from a virtual viewpoint (column 2, lines 3-20; generation of depth value and fog effect is determined using viewing information inherently in the system) to every predetermined compositional unit(each pixel corresponds to a compositional unit) of a first image (see figure 6, parameter setting bus is used for calculating Z DATA , color data and texture data);

generating a second image (at least in figure 6, fog coefficient calculation circuit is used to generate a second data applying fog or blur value; here fog corresponds to a blur value);

defining a coefficient corresponding to the value for expressing the distance set to every predetermined compositional unit (fog coefficients and blending coefficients are provided in figure 6 by sections 5084 and 5073); and

synthesizing the first image and the second image based on the coefficient defined for every predetermined compositional unit (at least a blending circuit 5072 in figure 6 is used for synthesizing or blending images).

For claims 2, 11, 20 and 29, Matsuo et al. disclose the drawing method wherein the coefficient is extracted from a table (at least figure 7 provides a table) having a plurality of coefficients gradationally (256 corresponds to gradation) composed therein using the value for expressing the distance for every predetermined compositional unit as an index (column 7, lines 37-57).

For claims 3, 12, 21 and 30, Matsuo et al. disclose the drawing method wherein the coefficient is defined using a predetermined byte for the case that the value for expressing the distance for every predetermined compositional unit is composed of two or more bytes (column 7, lines 37-57; 16 bits correspond to two bytes).

For claims 5, 14, 23 and 32, Matsuo et al. disclose the drawing method wherein the coefficient is defined as a semi-transparent coefficient such that increasing a ratio of the second image as the distance from the virtual viewpoint increases (column 8, lines 25-51).

For claims 6, 15, 24 and 33, Matsuo et al. disclose the drawing method wherein the second image is generated by subjecting the first image to a predetermined image processing (in figure 6 fog effect is used as a predetermined image processing).

For claims 7, 16, 25 and 34, Matsuo et al. disclose the drawing method wherein the predetermined image processing for the first image is blurring (at least in figure 6, fog effect corresponds to blurring).

For claims 8, 17, 26 and 35, Matsuo et al. disclose the drawing method wherein the second image is generated using an arbitrary color (at least in figure 6 a color computing section can provide an arbitrary color).

For claims 9, 18, 27 and 36, Matsuo et al. disclose the drawing method wherein the predetermined compositional unit is a pixel (at least column 5, lines 14-23; column 6 lines 38-63; calculation is based on pixel by pixel value).

Allowable Subject Matter

4. **Claims 4, 13, 22 and 31** objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other prior art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Totsuka (US 6,443,842 B1) discloses a method, program product, and game system for blurring an image.

Matsuo et al. (US 6,219,062 B1) disclose a three-dimensional graphic display.

Liguori (US 6,266,044 B1) discloses a color blend system.

Oka (US 6,342,882 B1) discloses an image processing apparatus and method and transmission medium.

Desjardins (US 5,280,357) discloses a depth-based recursive video effects.

Kang et al. (US 6,266,068 B1) disclose a multi-layer image-based rendering for video synthesis.

Takeuchi (US 6,409,598 B1) discloses a method program product, and game system for blurring an image.

Contact information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kanji Patel whose telephone number is (703) 305-4011. The examiner can normally be reached on Monday to Thursday from 8:00 a.m. to 6:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached on Monday to Friday. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kanji Patel
Art Unit 2625
September 17, 2004.


KANJIBHAI PATEL
PRIMARY EXAMINER